

EX PARTE OR LATE FILED
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

March 8, 1993

Room 222
Dockets
#829

IN REPLY REFER TO:

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AUG 11 1993

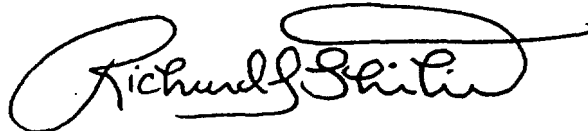
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable Lee H. Hamilton
U.S. House of Representatives
2187 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Hamilton:

As requested, please find copies of letters sent to your constituents
regarding our recent Notice of Proposed Rule Making in PR Docket 92-235.

Sincerely,



Richard J. Shiben
Chief, Land Mobile and
Microwave Division
Private Radio Bureau

Enclosures

No. of Copies rec'd 071
List ABCDE

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

IN REPLY REFER TO:

7330-7/1700A3

Mr. Van N. Brasill
231 Virginia Street
Speed, Indiana 47172

Dear Mr. Brasill:

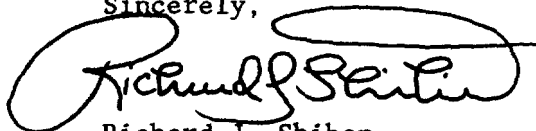
This is in reply to your letter to Congressman Lee H. Hamilton regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

You are specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take your concerns into account when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest. Your letter will be included in the record of the proceeding. We expect final rules to be issued in 1994.

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Chief, Land Mobile & Microwave Division
Private Radio Bureau

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WASHINGTON, D.C. 20554

IN REPLY REFER TO:

7330-7/1700A3

Mr. J. Michael Lehan
5330 Country Hills Road
Aurora, Indiana 47001

Dear Mr. Lehan:

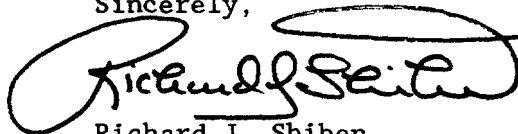
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WASHINGTON, D.C. 20554

IN REPLY REFER TO:

7330-7/1700A3

Mr. Art Struckman
R.R. #2, Box 45-64
Moores Hill, Indiana 47032

Dear Mr. Struckman:

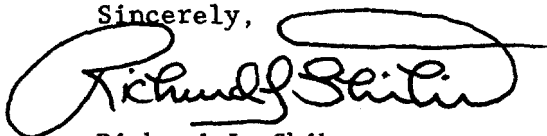
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WASHINGTON, D.C. 20554

IN REPLY REFER TO:

7330-7/1700A3

Mr. Rick McClure
R.R. #3, Box 360
Madison, Indiana 47250

Dear McClure:

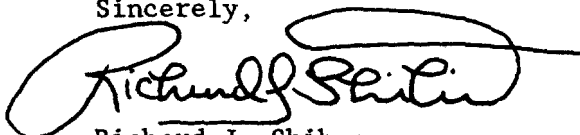
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WASHINGTON, D.C. 20554

IN REPLY REFER TO:

7330-7/1700A3

Mr. John M. Monroe
2227 Spring Avenue, Apt. 4
New Albany, Indiana 47150

Dear Mr. Monroe:

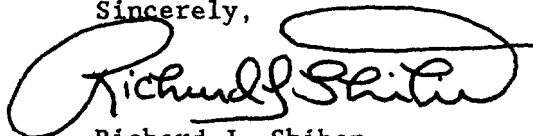
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Richard J. Shiben
Chief, Land Mobile & Microwave Division
Private Radio Bureau

Enclosure

Congressional

DLR OBC 3-4-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,
AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM
02/24/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300829	02/24/93	02/19/93	03/16/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Congressman	Lee H Hamilton	BC

CONSTITUENT'S NAME	SUBJECT
several constituents	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRB/102 8-25			

DATE	DATE	DATE	DATE
02/24/93			

REMARKS: Please prepare a response for each constituent
as requested by Cong. Hamilton's office to the
attn of Marianne Buckley

Congress of the United States

House of Representatives

Washington, D.C.

PRB
92235

..... FEB 12 1993, 19.....

829

Sir/Madam:

The attached communication is sent for your consideration. Please investigate the statements contained therein and forward me the necessary information for reply, returning the enclosed correspondence with your answer.

Yours truly,

CONGRESSMAN LEE H. HAMILTON
2187 RAYBURN BUILDING
WASHINGTON, D.C. 20515

M.C.

A.Hn: *Marianne Buckley*

—
Please note the
multiple responses
required.

—
Thanks

Dear Mr Hamilton

I am very concerned about the proposed rule that is currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted the new rule will greatly reduce the usability of frequencies currently assigned for R/C model use and increase the risk of accidents and attendant liability.

Our radio-control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio-control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

The Notice of Proposed Rule Making (NPRM) in PR Docket 92-235 replaces Part 90 of the rules with a new Part 88. Part 90 allows for safe use of R/C aircraft and surface models by keeping 10 Khz spacing between fixed commercial users and frequencies used by R/C enthusiasts. The new Part 88 will allow mobile users on frequencies within 2.5 Khz of frequencies available to us, eliminating safe use of at least 31 of the 50 channels on the 72 MHz band (for R/C aircraft) and 10 of the 30 frequencies on the 75 MHz band (for R/C cars and boats) now used by hobbyists. In fact, more channels will likely be affected.

When we operate our R/C models, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

I don't think it is wise of the FCC to seek to expand the operation conditions of land mobile radio users at the expense of the radio-control modelers. The FCC may not think we are as important as business users of radio, but we have a considerable investment in our models and in our radio equipment. It is a sizeable industry that must be saved from these detrimental FCC actions. The hobby provides many hours of enjoyment to hundreds of thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposal PR Docket 92-235 for the 72-76 MHz band. We all need your help urgently because the FCC has a deadline of February 26, 1993 after which it may become more difficult to avoid halting these proposals from going into effect.

Sincerely,

Mr. Art Struckman
R. R. #2, Box 45-64
Moore Hill, IN 47032

Mr. Van N. Brasill
231 Virginia Street
Speed, IN 47172

Mr. Rick McClure
R. R. #3, Box 360
Madison, IN 47250

Mr. J. Michael Lehan
5330 Country Hills Road
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